

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
) Case No. 1:01-cr-24-1
v.)
) Judge Collier/Steger
JEFFERY EARL HALL)
)

MEMORANDUM AND ORDER

JEFFERY EARL HALL (“Defendant”) came before the Court for an initial appearance on October 7, 2016, in accordance with Rule 32.1 of the Federal Rules of Criminal Procedure on the Petition for Warrant for Offender Under Supervision (“Petition”).

After being sworn in due form of law, Defendant was informed of his privilege against self-incrimination under the 5th Amendment and his right to counsel under the 6th Amendment to the United States Constitution.

The Court determined Defendant wished to be represented by an attorney and that he qualified for the appointment of an attorney to represent him at government expense. Consequently, the Court APPOINTED Mylene Marsa of Federal Defender Services of Eastern Tennessee, Inc. to represent Defendant.

Defendant was furnished with a copy of the Petition, and had an opportunity to review that document with his attorney. The Court determined that Defendant was able to read and understand the Petition with the assistance of his counsel. In addition, AUSA Perry Piper explained to Defendant the specific charges contained in the Petition. Defendant acknowledged that he understood the charges in the Petition.

The Government moved Defendant be detained pending a hearing before Judge Collier to determine whether his term of supervised release should be revoked. The Court explained Defendant’s right to a preliminary hearing and detention hearing and what those hearings entail. Defendant conferred with his counsel and requested that the preliminary hearing and detention hearing be conducted immediately. Counsel for the Government had no objection to proceeding immediately, so a hearing was conducted.

The Government relied upon the sworn Petition filed by United States Probation Officer Cornell Mitchell, the testimony of P.O. Mitchell, and the testimony of Lieutenant Michael Sneed of the Soddy Daisy Police Department. Attorney Marsa was given an opportunity to cross examine the Government’s witnesses. Lieutenant Sneed and P.O. Mitchell’s testimony substantiated the allegations contained in the Petition. More specifically, proof was offered that

Defendant participated with Beverly Troutman in a serious physical assault, involving a baseball bat and scalding water, as well as a robbery on a woman named Charlotte Dunn. Ms. Dunn sustained serious injuries as a result of the attack. In addition, Defendant associated with Ms. Troutman without the permission of his Probation Officer despite the fact that Ms. Troutman is a convicted felon.

The Court finds that Defendant has committed multiple violations of his conditions of supervised release. More specifically, Defendant violated the condition prohibiting him from committing federal, state or local crimes, as well as the condition prohibiting him from associating with persons convicted of a felony. Defendant did not carry the burden of establishing by clear and convincing evidence that he will not flee or pose a danger to any other person or to the community. Consequently, the Court GRANTED the Government's oral motion to detain Defendant pending his revocation hearing.

It is, therefore, ORDERED that:

1. Defendant shall appear in a revocation hearing before U.S. District Judge Collier on **November 23, 2016, at 2:00 p.m.**
2. The government's motion that Defendant be DETAINED WITHOUT BAIL pending his revocation hearing before Judge Collier is **GRANTED**.
3. The U.S. Marshal shall transport Defendant to the revocation hearing before Judge Collier at the aforementioned date and time.

SO ORDERED.

ENTER.

s/Christopher H. Steger
United States Magistrate Judge